

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 27TH SEPTEMBER 2007 / 5TH ASWINA 1929

WP(C).No. 27087 of 2007(Y)

PETITIONER:

**K.K.VIDYADHARAN, AGED 46,
KAROLIL HOUSE, KARIBMA, MANIPARA P.O.,
IDUKKI DISTRICT.
(THIRD GRADE OVERSEER LSGD SECTION, PEERMADE)**

BY ADV. SRI.P.V.MOHANAN

RESPONDENTS:

- 1. THE CHIEF ENGINEER,
LOCAL SELF GOVERNMENT DEPARTMENT,
THIRUVANANTHAPURAM.**
- 2. THE EXECUTIVE ENGINEER,
LOCAL SELF GOVERNMENT DEPARTMENT DIVISION,
IDUKKI.**
- 3. THE STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM.**

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

V.GIRI, J.

WP(C) No. 27087 of 2007

Dated, this the 27th day of September, 2007

J U D G M E N T

Petitioner, who is a III grade Overseer in the Local Self Government Department, was first posted to the Peermade Grama Panchayat, as per Ext.P1. He was transferred, to the Alakkode Panchayat, by Ext.P2 and the petitioner was relieved from Peermade Panchayat. This was challenged by the President of the Peermade Grama Panchayat in WP(C) No. 14387/2006, which, ultimately, was dismissed holding that the petitioner had not challenged the transfer order. Apparently, though the petitioner was transferred from Peermade Panchayat to Alakkode Panchayat, there came about a situation that he did not get a posting and it is therefore, the petitioner filed Ext.P4 before the Chief Engineer, who is the competent authority.

2. Shri.P.V.Mohanan, learned counsel for the petitioner, submits that subsequently, petitioner has now been given a posting at the Nedunkandam Grama Panchayat, where he has joined duty w.e.f. from 25/09/2007. What remains is the regularization of the period of absence from 05/05/2006 to 24/09/2007. This is a matter on which a decision has to be taken by the Chief Engineer

i.e., the 1st respondent.

3. I have heard learned counsel for the petitioner and the learned Government Pleader as well.

4. In the circumstances, this writ petition is disposed of directing the 1st respondent to consider and take appropriate action on Ext.P4, with regard to the manner in which the period of absence of the petitioner from 05/05/2006 to 24/09/2007 has to be treated and also with regard to the disbursement of pay and allowances due to the petitioner for the said period. Needful shall be done within a period of two months from the date of receipt of a copy of this judgment, after notice to the petitioner.

(V.GIRI, JUDGE.)